

Radiation Control Board Position Statement

SB244 "Department of Environmental Quality Modifications"

Senate bill 244 (2015 General Session) consolidates the Division of Radiation Control and the Division of Solid and Hazardous Waste into one Division. It also consolidates the Radiation Control Board with the Solid and Hazardous Waste Boards. The board has no opinion on the administrative efficiencies of merging the two divisions. It is the opinion of the board that the merging of the boards is ill-advised and does not increase the efficiency of the Radiation Control Board's efforts.

The boards are made up of Utah residents who volunteer their time and expertise to the State of Utah. The time commitment to prepare for and attend board and subcommittee meetings is substantial. Because the workload of the new consolidated board is not expected to change, the new board members would be required to review an equivalent amount of information currently required for both the Radiation Control Board and the Solid and Hazardous Waste Board. This additional time commitment may prove too burdensome to allow well qualified individuals to be members of the board.

The new larger board will have to tackle a much wider range of issues, requiring even more preparatory work and longer meetings. Over the past two years, the Radiation Control Board averaged 8 meetings per year, each meeting averaging 96 minutes. For each meeting, Radiation Control Board members were expected to review information for each meeting that averaged 77 pages long. During this same time period, the Solid and Hazardous Waste Board held an average of 5.5 meetings per year, averaging 65 minutes each, and having to review an average information package of 187 pages. Separate boards with a smaller scope would be more efficient, as they would be more focused and therefore waste less time with discussions and reviews that are outside board members' expertise or interest. Furthermore, in 2013 and 2014 the Radiation Control Board alone worked on 53 rules. The potential impact on rule making activities by a board that is overwhelmed or understaffed could have a significant impact on those who are most affected by these rules.

One consequence of creating a board that represents a larger range of interests is that certain interests may receive more representation on the board than others who have a greater stake in the board's actions. Historically, three of the nine permanent seats (approximately 33%) of the Radiation Control Board membership was held by medical providers (licensed medical doctors and dentists). In 2012, the permanent membership for medical providers was completely removed. In SB244, one seat (approximately 9%) of the board will be reserved for a medical provider. In contrast, representatives from non-medical regulated industry increase from approximately 22% to 42% of the new board's permanent membership. This change is made in spite of the fact that over 90% of all radiation use in Utah is related to medical care. The balance of the board membership should be representative of the actual areas for which it covers.

It is regrettable that significant input was not sought from the board or the majority of stakeholders by the authors of SB 244. The Boards are able to provide a perspective that cannot be equaled by any other individual or agency. As changes to the boards are considered, timely input should be sought from the affected board as well as the affected stakeholders. As future changes to the division and board are considered, all types of radiation should be considered in the context of all uses of radiation within Utah.

The Radiation Control Board and the Solid and Hazardous Waste Board should not be merged.